IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE SEVENTH DAY OF JANUARY,
TWO THOUSAND AND FOUR
: PRESENT :
THE HON'BLE MR. JUSTICE: A. GOPAL REDDY

W.P. No. 27158 of 2003

Between:
A.V. Pravardhan, S/o. Vijaya Raghava Reddy,
R/o. Kovvur Village & Post, Nellore District.

Petitioner

AND

1 The NTR University of Health Sciences, rep. by its Registrar, Vijayawada.
2 The State of A.P., rep. by its Principal Secretary to the Government, Health Medical &
Family Welfare Department, Secretariat, Saifabad, Hyderabad.
3 Narayana Medical College, rep. by its Principal, Nellore, Nellore District.
4 The Vice-chancellor & Competent Authority, NTR University of Health Sciences, Vijayawada.
5 The Officer on Special Duty, Narayana Medical College, Nellore-2
6 The Medical Council of India, rep. by its Secretary, Aiwan-e-Ghalab Marg, Kotla Road, Mata Sundary College for Women, New Delhi-100 0021.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ, more particularly one in the nature writ of mandamus declaring the action of the respondents more particularly the 3rd respondent college in not allowing the petitioner to attend the classes in the 1st year MBBS Course for the academic year 2003-2004 in the 3rd respondent's College, as illegal arbitrary and violative of fundamental rights and consequently direct the respondents to allow the petitioner to attend the classes of MBBS 1st year course for the academic year 2003-2004 in the respondent Narayana Medical College, Nellore while disclosing the petitioner as entitled to continue with the admission already effected after following the due procedures.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. K. Venu Gopal Reddy, Advocate for the Petitioner and of Dr. Y. Padmavathi, S.C. for the Respondent Nos.1 and 4 and of the G.P. for Medical & Health on behalf of the Respondent Nos. 2, None appeared for the Respondent Nos.3 and 5 and of Mr. S. Niranjan Reddy, Advocate for the Respondent No.6, the court made the following

ORDER:

" Inspite of service oaf notice intimating that writ petition will be taken up for admission of 7-1-2004 on third respondent, none appears for the third respondent.

A perusal of the record clearly discloses that though the third

respondent-college earlier sent the name of the petitioner as admitted into "C" category seat, subsequently it was rectified with the name of S. Priya Darshini. In view of the same, the third respondent i.e., Principal, Narayana Medical College, Nellore is hereby directed to present before this court on 21-1-2004 at 10.30 a.m. along with particulars with regard to admission of students made into "C" category, fees received by the College from the students with relevant dates and list forwarded to the University along with necessary certificates, if any, for approval.

Pending further orders, the petitioner can make a representation bringing out the illegalities committed by Narayana Medical College, Nellore to the Vice-Chancellor & Competent Authority, NTR University of Health Sciences, Vijayawada within one week from today and on making such representation, the competent authority shall make an enquiry into the said allegations and submit his report to this court by the next date of hearing.

Post the writ petition for admission on 21-1-2003 and for appearance of third respondent."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1 The Registrar, NTR University of Health Sciences, Vijayawada, Krishna District **(BY SPEED POST)**
2 The Principal Secretary to the Government, Health Medical & Family Welfare Department, State of A.P., Secretariat, Saifabad, Hyderabad **(BY SPECIAL MESSENGER)**
3 The Principal, Narayana Medical College, Nellore, Nellore District. **(BY SPEED POST - WITH A DIRECTION TO APPEAR BEFORE THIS COURT ON 21-1-2004 AT 10.30 A.M.)**
4 The Vice-chancellor & Competent Authority, NTR University of Health Sciences, Vijayawada, Krishna District **(BY SPEED POST)**
5 The Officer on Special Duty, Narayana Medical College, Nellore-2 **(BY SPEED POST)**
6 The Secretary, Medical Council of India, Aiwan-e-Ghalab Marg, Kotla Road, Mata Sundary College for Women, New Delhi-100 0021. **(BY SPEED POST)**
7. One Spare Copy.

MSR

HIGH COURT

DATE: 7-1-2004

ORDER

W.P.No. 27158 of 2003

DIRECTION

HIGH COURT

DRAFTED BY: MSR
DRAFTED ON: 12-1-2004

AGRJ

DATE: 7-1-2004

NOTE: POST THE WRIT PETITION FOR ADMISSION ON 21-1-2003 AND FOR APPEARANCE OF THIRD RESPONDENT.

ORDER

W.P.No. 27158 of 2003

DIRECTION